

1 BILL NO. G-84-01-20 (as amended) (as amended) (as amended)

2 GENERAL ORDINANCE NO. G- 03-84

3 AN ORDINANCE reaffirming the powers
4 of the City of Fort Wayne; furthering
5 the implementation of Home Rule with
6 respect to this City; reorganization
of executive departments of this City;
and the amendment of all ordinances
of this City in conflict herewith.

7 WITNESSETH:

8 WHEREAS, it is the policy of this State, as codified
9 at I.C. 36-1-3-2, to grant cities all powers that they need for
10 the effective operation of government as to local affairs;

11 WHEREAS, the Common Council of the City of Fort Wayne,
12 Indiana, has passed and the Mayor of the City of Fort Wayne has
13 signed, Fort Wayne's Home Rule Ordinance cited as G-23-82;

14 WHEREAS, the City's Home Rule Ordinance articulates
15 the City's desire to take advantage of all powers necessary to
16 effectively run City government in a fashion that is responsive
17 to the needs of this community;

18 WHEREAS, the City's Home Rule Ordinance also "contem-
19 plates" the passage of additional ordinances and resolutions,
20 from time to time, so as to allow for the expansion and refine-
21 ment of City powers, all under Home Rule, as this concept evolves
22 in this State;

23 WHEREAS, an emergency exists in that this ordinance
24 and the terms and conditions herein contained will benefit the
25 citizens of this community in that this ordinance will allow for
26 more effective administration of City government.

27 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
28 OF THE CITY OF FORT WAYNE, INDIANA:

29 SECTION 1. City Powers. The City of Fort Wayne does
30 hereby reaffirm and ratify all powers granted to it under state
31 law. This City, its departments, boards, commissions, agencies,
32 and employees shall have all powers necessary to efficiently

1 Page Two

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3 manage the government of this City unless specifically limited
4 by I.C. 36-1-3-8, or otherwise denied by state statute or the Con-
5 stitution of the State of Indiana.

6 SECTION 2. Executive Divisions (Departments). Pursuant
7 to I.C. 36-4-9-4, there are hereby created the following executive
8 divisions (departments) of the City of Fort Wayne, Indiana, to-wit:

9 A. Division of Public Works headed by a Director of
10 Public Works. This Division shall be responsible
11 for normal public works activities and this Divi-
12 sion shall perform those duties, functions and obli-
13 gations as required and/or allowed by state statute
14 and ordinance and those duties, functions and obli-
15 gations otherwise assigned from time to time. Not
16 by way of limitation this Division shall be responsi-
17 ble for: parking administration, street engin-
18 eering, water resources, engineering and mainten-
19 ance, public works construction and the operation
20 of all of the utilities of the City of Fort Wayne.

21 B. Division of Public Safety headed by a Director of
22 Public Safety. This Division shall perform those
23 duties, functions and obligations as required and/
24 or allowed by state law and ordinance and those
25 duties, functions and obligations otherwise as-
26 signed from time to time. Not by way of limita-
27 tion this Division shall be responsible for the
28 activities of the police department, fire depart-
29 ment, emergency medical services, animal control
30 and communications of this City.

31 C. Division of Community Services headed by a Director
32 of Community Services. This Division shall perform

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3 Page Three

4 those duties, functions and obligations as
5 required and/or allowed by state law and ordinance
6 and those duties, functions and obligations other-
7 wise assigned from time to time. Not by way of
8 limitation this Division shall be responsible for
9 the administration and coordination with other
10 municipal functions including CETA; job training
11 partnership; public/private unemployment assistance,
12 as it now exists or as it may develop, in response
13 to community need; social services; public needs;
14 and aviation; and the coordination of municipal
15 services with community organizations.

16 D. Division of Community Development and Planning
17 headed by a Director of Community Development and
18 Planning. This Division shall perform those duties,
19 functions and obligations as required and/or allowed
20 by state statute and ordinance and those duties,
21 functions and obligations otherwise assigned from
22 time to time. Not by way of limitation this
23 Division shall be responsible for the administration
24 of all planning activities of the City; minimum
25 housing and public housing of the City; central
26 code enforcement; and community development
27 planning activities.

28 E. Economic Development Division headed by a Director
29 of Economic Development. This Division shall per-
30 form those duties, functions and obligations as re-
31 quired and/or allowed by state statute and ordi-
32 nance and those duties, functions and obligations
33 otherwise assigned from time to time. Not by way
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FOX RIVER BOND

Page Four

of limitations this Division shall be responsible for all economic development and redevelopment activities of the City.

F. Division of Administration and Finance headed by a Director of Administration and Finance who shall be the City Controller of the City of Fort Wayne. This Division shall perform those duties, functions and obligations as required and/or allowed by state statute and ordinance and those duties, functions and obligations otherwise assigned from time to time. Not by way of limitation this Division shall be responsible for all fiscal, contract compliance functions, personnel, labor, data processing, purchasing and utility administration functions of the City.

G. A Division of Public Parks headed by a Director of Public Parks. This Division shall perform those duties, functions and obligations as required, and/or allowed, by state statute and ordinance and those duties, functions and obligations, otherwise assigned from time including, but not limited to those powers given to the Department of Public Parks as a separate department of the City pursuant to I.C. 36-10-4, et seq., as adopted pursuant to General Ordinance No. G-22-83. Not by way of limitation this division shall be responsible for all parks and recreation activities of the City.

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7 H. A Division known as the Executive Office of the
8 Mayor, headed by a Director of Staff. This
9 Division shall perform duties as required to
10 develop administration policy in response to
11 community need. This Division shall include
12 management and budget analysis, community
13 relations, public information, and supportive
14 executive staff of the Mayor and the Mayor's
15 office. In addition, the Corporation Counsel
16 (City Attorney) and his staff shall be part of
17 the Executive Office of the Mayor, reporting
18 directly to the Mayor.

19 The above stated divisions shall be all of the Executive divi-
20 sions or departments of the City and all other presently exist-
21 ing divisions will be abolished as this ordinance becomes
22 effectuated pursuant to Section 8 hereof. It is recognized
23 that the appointment of division (department) heads shall be
24 subject to the terms of I.C. 36-4-9-2.
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3 SECTION 3. Boards and Commissions. All present boards
4 and commissions of this City are reconfirmed, except that there
5 shall be, pursuant to I.C. 36-4-9-5, a Board of Public Works and
6 Safety, comprised of three (3) members, to-wit: the Director of
7 Public Works; the Director of Public Safety, and the Director of
8 Administration and Finance, all who shall be fulltime employees
9 of the City. The Board of Public Works and Safety shall perform
10 all of those public works and safety responsibilities as required
11 by Indiana law and the Municipal Code of the City of Fort Wayne.
12 Any official statutory action required by the Board of Public
13 Works and Safety shall be taken by the three-member board with
14 the Director of Public Works serving as chairman for all works
15 matters and the Director of Public Safety serving as chairman for
16 all public safety matters.

17 SECTION 4. Salary Ordinance. The reorganization as
18 contemplated herein, does not necessitate an increase or change
19 in the City's 1984 budget nor does this ordinance necessitate
20 an increase in salaries. The existing salary structure and monies
21 appropriated by Council for salaries in the year 1984 will be
22 utilized. Furthermore, the same salary maximums as established
23 by Council in the 1984 salary ordinance will be maintained. Pro-
24 vided, however, that this ordinance does necessitate a change in
25 certain job titles and shifting of certain existing labor grades.
26 Such change in titles and/or shifting of labor grades is not an
27 addition of personnel. To effectuate this ordinance the City's
28 1984 salary ordinance, cited as S-140-83, is hereby amended as
29 follows:

- 30 A. There shall be added to the Mayor's Office a Staff
31 Director (Director of Public Policy), labor grade 19
32 and an Executive Assistant, labor grade 15.

- B. There shall be added to the Controller's Office a Director of Labor Relations, labor grade 15.
- C. There shall be deleted from the Board of Public Works the position of Chairman, labor grade 19, and Member of the Board, labor grade 18, and there shall be added a Director's position labor grade 19 and a Street and Fleet Department Director, labor grade 16.
- D. The Director's position of Community Development and Planning shall be a labor grade 19 and there shall be a Deputy Director, labor grade 18.
- E. The positions Chairman and Member of the Board of the Board of Public Safety shall be eliminated and there shall be added the positions Director, labor grade 19, and Administrative Assistant, labor grade 12.
- F. There shall be added a Division of Community Services consisting of a Director, labor grade 19, Administrative Assistant, labor grade 12, and Executive Secretary VIII, labor grade 8.

Any provision to the City's 1984 salary ordinance deemed inconsistent herewith shall be deemed amended to coincide with the terms and conditions hereof.

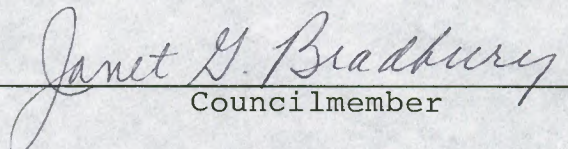
SECTION 5. General Amendment. This ordinance shall be deemed to be an amendment of any existing ordinance of the City of Fort Wayne in conflict herewith, including but not limited to the City's Home Rule Ordinance, cited as G-23-82, which established a separate Board of Public Works and Public Safety.

SECTION 6. Severability. If any section, part or provision of this ordinance is held to be contrary to law or un-

Page Seven

enforceable, then this ordinance shall be construed without such section, part or provision of this ordinance.

SECTION 7. Effective Date. The subject matter of this ordinance requires certain internal changes within the various departments of this City. So that such changes may occur in an orderly fashion, the existing departments shall continue to exercise all of their powers and fulfill their legal responsibilities, until such time as their successors are formulated. The Board of Public Works and the Board of Public Safety shall continue to operate as two (2) separate boards until all individuals filling the joint Board of Public Works and Safety are appointed. Notwithstanding anything herein to the contrary, this ordinance shall not become effective until passage by Council and approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


Bruce O. Boxberger, City Attorney

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5 Page Eight

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7 enforceable, then this ordinance shall be construed without
8 such section, part or provision of this ordinance.

9 SECTION 7. This Ordinance does not abrogate nor,
10 in any fashion, limit any existing or future collective bargain-
11 ing agreements entered into by the City and any labor
12 organizations.

13 SECTION 8. Effective Date. The subject matter
14 of this ordinance requires certain internal changes within the
15 various departments of this City. So that such changes may occur
16 in an orderly fashion, the existing departments shall continue
17 to exercise all of their powers and fulfill their legal
18 responsibilities, until such time as their successors are
19 formulated. The Board of Public Works and the Board of Public
20 Safety shall continue to operate as two (2) separate boards
21 until all individuals filling the joint Board of Public Works
22 and Safety are appointed. Notwithstanding anything herein
23 to the contrary, this ordinance shall not become effective
24 until passage by Council and approval by the Mayor.

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26 Janet G. Bradbury
27 Councilmember
28
29

30 Approved as the Form and
31 Legality
32 OK 8/6/8

Read the first time in full and on motion by Bradbury, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 1-24-84, the 1 day of February, 19 84, at 10 o'clock P.M., E.S.

DATE: 1-24-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>3</u>			
<u>BRADBURY</u>	<u>✓</u>				
<u>BURNS</u>		<u>✓</u>			
<u>EISBART</u>	<u>✓</u>				
<u>GiaQUINTA</u>	<u>✓</u>				
<u>HENRY</u>	<u>✓</u>				
<u>REDD</u>		<u>✓</u>			
<u>SCHMIDT</u>		<u>✓</u>			
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 2-14-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. M-03-84 on the 14th day of February, 19 84,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. E. Corp
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 19 84, at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 21st day of February, 19 84, at the hour of 1 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT

Date 2-16 1979 No. 10718

Received From

Chen - Lee

Address

1957 Avenida 1 AvenueDollars \$ 2000for vacation - return

ACCOUNT		HOW PAID		By <u>[Signature]</u>
AMT. OF ACCOUNT		CASH		
AMT. PAID		CHECK		
BALANCE DUE		MONEY ORDER		
			<input checked="" type="checkbox"/>	

BILL NO. G-79-08-20

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending General Ordinance No. G-97 by authorizing
the vacation of a portion of Kinnaird Street

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

Ben Eisbart

John Nuckols

James S. Stier

Samuel J. Talarico

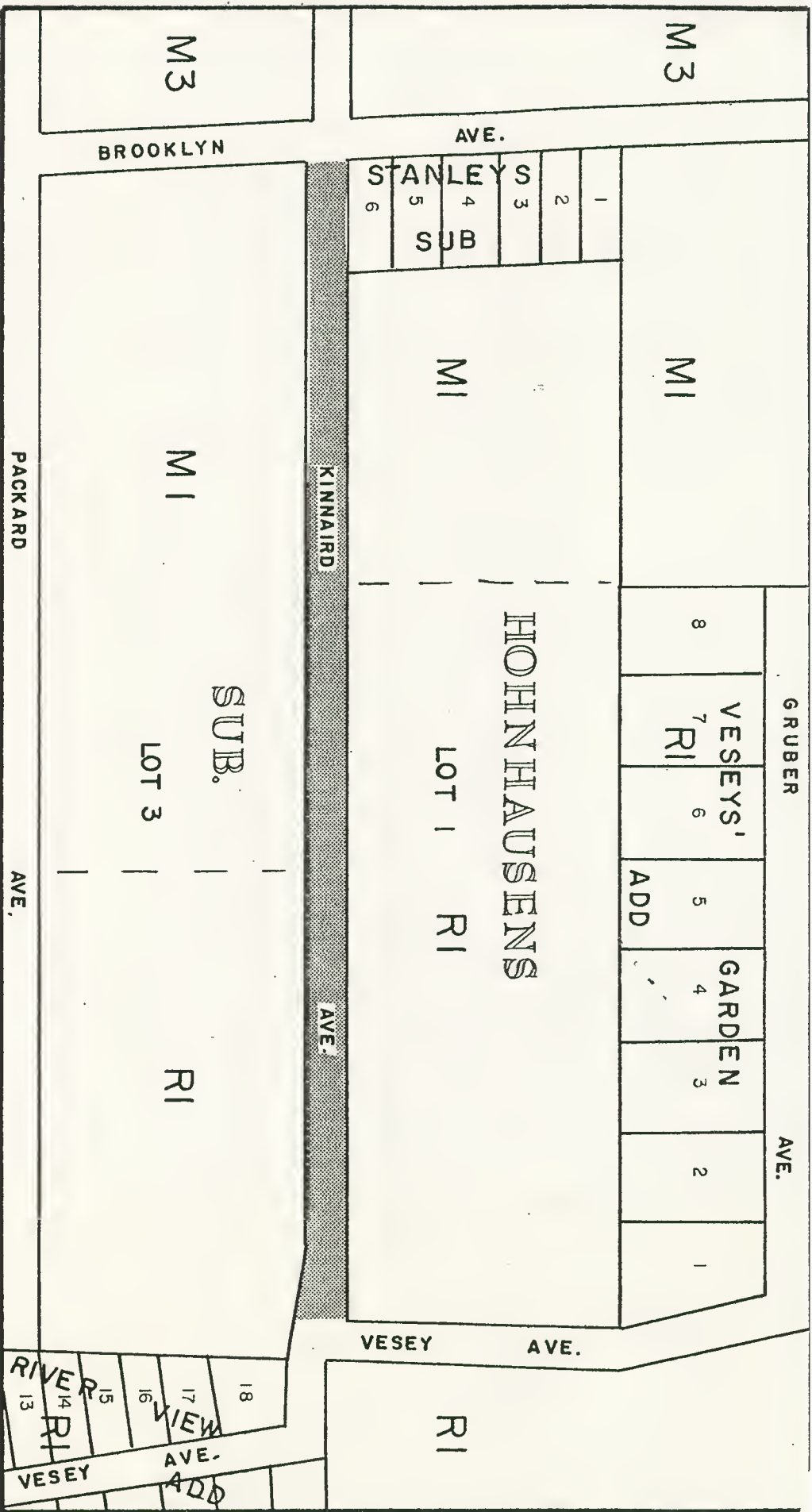
Donald J. Schmidt

11-25-80

CONCURRED IN

DATE

CHARLES W. WESTERMAN, CITY CLERK



AMENDMENT TO REORGANIZATION ORDINANCE

The Reorganization Ordinance is amended by adding thereto a new Section 7. Thus, the present Section 7 shall become Section 8. The new Section 7 shall read as follows:

"This Ordinance does not abrogate nor, in any fashion, limit any existing or future collective bargaining agreements entered into by the City and any labor organizations."

BILL NO. G-84-01-20

REPORT OF THE COMMITTEE ON REGULATIONS

Committee of the Whole

Committee of the Whole

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE reaffirming the powers of the City of Fort Wayne; furthering
the implementation of Home Rule with respect to this City;
reorganization of executive departments of this City; and the
amendment of all ordinances of this City in conflict herewith

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JANET G. BRADBURY, CHAIRWOMAN

Janet G. Bradbury

SAMUEL J. TALARICO, VICE CHAIRMAN

Samuel J. Talarico

CHARLES B. REDD

Charles B. Redd

MARK E. GIAQUINTA

Mark E. Giaquinta

JAMES S. STIER

James S. Stier

THOMAS C. HENRY

Thomas C. Henry

2-14-84

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The new Section 7 shall read as follows:

"This Ordinance does not abrogate nor, in any fashion, limit any existing ~~collective~~ bargaining agreements entered into by the City and any labor organizations."

or future

DIGEST SHEET

y-84-01-20

TITLE OF ORDINANCE General OrdinanceDEPARTMENT REQUESTING ORDINANCE Mayor's Office

SYNOPSIS OF ORDINANCE An ordinance reaffirming the powers of the City
of Fort Wayne; furthering the implementation of Home Rule with re-
spect to this City; and the reorganization of executive departments
of this City; and the amendment of all ordinances of this City in
conflict herewith.

EFFECT OF PASSAGE More effective administration of City government.

EFFECT OF NON-PASSAGE Opposite of the above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

1 AMENDMENT TO BILL NO. G-84-1-20

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4 Section 2. C is amended so that lines 13, 14, and 15, Page
5 Three of the Ordinance, reads as follows:
6

7 Line 13 and aviation; and the coordination of municipal
8 Line 14 services with community organizations.
9 (omitting the words "parks and recreation")
10
11

12 Page Four, Section 2. G is amended to read as follows:
13 Deleting present Paragraph G. and substituting therefor:
14

15 G. A Division of Public Parks headed by a Director
16 of Public Parks. This Division shall perform those
17 duties, functions and obligations as required, and/or
18 allowed, by state statute and ordinance and those
19 duties, functions and obligations, otherwise assigned
20 from time including, but not limited to those powers
21 given to the Department of Public Parks as a separate
22 department of the City pursuant to I. C. 36-10-4,
23 et seq., as adopted pursuant to General Ordinance
24 No. G-22-83. Not by way of limitation this division
25 shall be responsible for all parks and recreation
26 activities of the City.
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29 Adding a new paragraph H to read as follows:

30 H. A Division known as the Executive Office of the
31 Mayor, headed by a Director of Staff. This Division
32 shall perform those duties as required to develop

1 Page Two

2
3 administration policy in response to community need.
4 This Division shall include management and budget
5 analysis, community relations, public information,
6 and supportive executive staff of the Mayor and the
7 Mayor's office. In addition, the Corporation Counsel
8 (City Attorney) and his staff shall be part of the
9 Executive Office of the Mayor, reporting directly to
10 the Mayor.

11 (being Paragraph G. of the original ordinance)

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14 The ordinance shall be further amended by adding, at the
15 end of Section 2, the following language:

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17 It is recognized that the appointment of division
18 (department) heads shall be subject to the terms of I.C. 36-4-9-2.

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Amendment submitted by Ben Eisbart

those duties, functions and obligations as required and/or allowed by state law and ordinance and those duties, functions and obligations otherwise assigned from time to time. Not by way of limitation this Division shall be responsible for the administration and coordination with other municipal functions including CETA; job training partnership; public/private unemployment assistance, as it now exists or as it may develop, in response to community need; social services; public needs; parks and recreation; and aviation; and the coordination of municipal services with community organizations.

D. Division of Neighborhood Development headed by a Director of Neighborhood Development. This Division shall perform those duties, functions and obligations as required and/or allowed by state statute and ordinance and those duties, functions and obligations otherwise assigned from time to time. Not by way of limitation this Division shall be responsible for the administration of all planning activities of the City; minimum housing and public housing of the City; central code enforcement; and community development planning activities.

E. Economic Development Division headed by a Director of Economic Development. This Division shall perform those duties, functions and obligations as required and/or allowed by state statute and ordinance and those duties, functions and obligations otherwise assigned from time to time. Not by way

of limitations this Division shall be responsible for all economic development and redevelopment activities of the City.

F. Division of Administration and Finance headed by a Director of Administration and Finance who shall be the City Controller of the City of Fort Wayne. This Division shall perform those duties, functions and obligations as required and/or allowed by state statute and ordinance and those duties, functions and obligations otherwise assigned from time to time. Not by way of limitation this Division shall be responsible for all fiscal, contract compliance functions, personnel, labor, data processing, purchasing and utility administration functions of the City.

G. A Division known as the Executive Office of the Mayor, headed by a Director of Staff. This Division shall perform those duties as required to develop administration policy in response to community need. This Division shall include management and budget analysis, community relations, public information, and supportive executive staff of the Mayor and the Mayor's office. In addition, the Corporation Counsel (City Attorney) and his staff shall be part of the Executive Office of the Mayor, reporting directly to the Mayor.

The above stated divisions shall be all of the Executive divisions or departments of the City and all other presently existing divisions will be abolished as this ordinance becomes effectuated pursuant to Section 7 hereof.

1 AMENDMENT TO BILL NO. G-84-1-20

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6 Section 2. D is hereby amended so that lines 16 and 17,
7 Page Three of the ordinance, read as follows:
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9 Division of Community Development and Planning headed
10 by a Director of Community Development and Planning.
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Amendment submitted by Administration

1 AMENDMENT TO BILL NO. G-84-1-20

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4 Section 2. C is amended so that lines 13, 14, and 15, Page
5 Three of the Ordinance, reads as follows:
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7 Line 13 and aviation; and the coordination of municipal
8 Line 14 services with community organizations.
9 (omitting the words "parks and recreation")
10
11

12 Page Four, Section 2. G is amended to read as follows:
13 Deleting present Paragraph G. and substituting therefor:
14

15 G. A Division of Public Parks headed by a ^{Director}~~Superintendent~~
16 of Public Parks. This Division shall perform those
17 duties, functions and obligations as required, and/or
18 allowed, by state statute and ordinance and those
19 duties, functions and obligations, otherwise assigned
20 from time including, but not limited to those powers
21 given to the Department of Public Parks as a separate
22 department of the City pursuant to I. C. 36-10-4,
23 et seq., as adopted pursuant to General Ordinance
24 No. G-22-83. Not by way of limitation this division
25 shall be responsible for all parks and recreation
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29 Adding a new paragraph H to read as follows:

30 H. A Division known as the Executive Office of the
31 Mayor, headed by a Director of Staff. This Division
32 shall perform those duties as required to develop

1 Page Two

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3 administration policy in response to community need.
4 This Division shall include management and budget
5 analysis, community relations, public information,
6 and supportive executive staff of the Mayor and the
7 Mayor's office. In addition, the Corporation Counsel
8 (City Attorney) and his staff shall be part of the
9 Executive Office of the Mayor, reporting directly to
10 the Mayor.

11 (being Paragraph G. of the original ordinance)
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13

14 The ordinance shall be further amended by adding, at the
15 end of Section 2, the following language:

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17 " It is recognized that the appointment of division
18 (department) heads shall be subject to the terms of I.C. 36-4-9-2.
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Amendment submitted by Ben Eisbart